

## **"The Indian Removal Act of 1830 was a terrible injustice."**

John Marshall, Chief Justice of the Supreme Court, believed that the Cherokee had "an unquestionable right" to their territory "until title should be extinguished by voluntary cession to the United States."

In their protest against the Indian Removal Act, the Cherokee people referred to past treaties with the federal government and stated, "We have a perfect and original right to remain without interruption and molestation."

Congressman Edward Everett of Massachusetts described Indian removal as "inflicting the pains of banishment from their native land on seventy or eighty thousand human beings." Rejecting claims that the removal was necessary to protect the Indians against white settlers, Everett demanded, "What other power has the Executive over a treaty or law, but to enforce it?"

In their 1832 protest against the Act, the Creek pointedly asked, "Can [our white brethren] exempt us from intrusion in our promised borders, if they are incompetent to our protection where we are?"

## **"The Indian Removal Act of 1830 was unfortunate but necessary."**

Blame for the displacement of Native Americans was sometimes placed on the states or on the law which, it was argued, all people must obey. As Secretary of War John Eaton explained to the Creek of Alabama: "It is not your Great Father who does this; but the laws of the Country, which he and every one of his people is bound to regard."

President Andrew Jackson contended that the Indian Removal Act would put an end to "all possible danger of collision between the authorities of the General and State Governments on account of the Indians."

Jackson also claimed that the Indian Removal Act would protect Native Americans against further encroachment. He found support for his point of view from Secretary of War Lewis Cass, who defended "the progress of civilization and

improvement." Cass wished "that the aboriginal population had accommodated themselves to the inevitable change of their condition," but asserted that "such a wish is vain."

### **INTERACT WITH HISTORY**

1. **ANALYZING ISSUES** On what central issue regarding the Indian Removal Act did Jackson and Native American tribes disagree? Explain your opinion of the Act.



SEE SKILLBUILDER HANDBOOK, PAGE 1046

2. **WRITING A PROPOSAL** Research the history of one of the Eastern tribes and write a proposal different from the Indian Removal Act that might have served the tribe better.